

1 Sarah P. Alexander (SBN 291080)
2 spalexander@constantinecannon.com
3 **CONSTANTINE CANNON LLP**
4 150 California Street, Suite 1600
5 San Francisco, CA 94111
6 Telephone: (415) 639-4001
7 Facsimile: (415) 639-4002

8 *Attorney for Human Rights Watch &*
9 *Amnesty International USA*

10
11 **IN THE UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13 **WESTERN DIVISION**

14 JENNY LISETTE FLORES, *et al.*,

15 Plaintiffs,

16 v.

17 WILLIAM BARR, Attorney General, *et al.*,

18 Defendants.

19 Case No. CV 85-4544-
20 DMG(AGR_x)

21 ***EX PARTE* APPLICATION**
22 **FOR LEAVE TO FILE**
23 **BRIEF OF *AMICI CURIAE***
24 **HUMAN RIGHTS WATCH**
25 **AND AMNESTY**
26 **INTERNATIONAL USA IN**
27 **SUPPORT OF PLAINTIFFS**
28

1 Proposed *Amici Curiae* Human Rights Watch and Amnesty International
 2 USA hereby request leave of this Court to file a brief in support of Plaintiffs’
 3 supplemental briefing addressing whether the newly issued regulations,
 4 *Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied*
 5 *Alien Children*, 84 Fed. Reg. 44,392 (Aug. 23, 2019), are consistent with the terms
 6 of the *Flores* Agreement. A copy of the proposed brief is appended as an exhibit to
 7 this request. This request is based on the foregoing and the concurrently filed brief
 8 of *Amici Curiae*.

9 The proposed *Amici* respectfully submit that *amicus* briefing is appropriate in
 10 this case, as it raises difficult questions regarding the United States’ obligations
 11 under international and human rights law. *Amici* believe that the Court in this
 12 matter would benefit from an exposition of human rights norms and principles on
 13 child migrants and refugees, and an explanation of how those norms and principles
 14 apply to this population. The federal courts have considered the persuasive value of
 15 human rights norms in analogous settings concerning the rights of a child. *See, e.g.,*
 16 *Graham v. Florida*, 560 U.S. 48, 80 (2010), *as modified* (July 6, 2010); *Roper v.*
 17 *Simmons*, 543 U.S. 551, 578 (2005).

18 Pursuant to Central District of California’s Local Civil Rules L.R. 7-19 and 7-
 19 19.1, counsel for *Amici* has contacted the parties in this matter. Both Plaintiffs and
 20 Defendants have consented to the filing of this *amicus* brief.

21 **IDENTITIES OF AMICI CURIAE**

22 *Amici* are two of the preeminent human rights organizations in the world.
 23 Human Rights Watch is a non-profit, independent organization that investigates
 24 allegations of human rights violations in more than 90 countries around the world,
 25 including in the United States, by interviewing witnesses, gathering information
 26 from a variety of sources, and issuing detailed reports. Where human rights
 27 violations have been found, Human Rights Watch advocates with governments and
 28

1 international organizations to remedy the violations and mobilizes public pressure
2 for change.

3 Amnesty International USA is a non-partisan, non-profit organization that,
4 together with more than 70 national and territorial counterparts, makes up Amnesty
5 International. Amnesty International is the world's largest grassroots human rights
6 organization, comprising a global support base of more than seven million
7 individual members, supporters, and activists in more than 150 countries and
8 territories. Amnesty International engages in advocacy, litigation, and education to
9 prevent and end human rights violations and to demand justice for those whose
10 rights have been violated.

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12 Dated: August 30, 2019

Respectfully submitted,

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14 **CONSTANTINE CANNON LLP**

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16 By: s/ Sarah P. Alexander
17 SARAH P. ALEXANDER
18 spalexander@constantinecannon.com
19 **CONSTANTINE CANNON LLP**
20 150 California Street, Suite 1600
21 San Francisco, CA 94111
22 Telephone: (415) 639-4001
23 Facsimile: (415) 639-4002

24 *Attorney for Amici Curiae Human Rights Mot*
25 *for Watch & Amnesty International USA*